

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:01-00018

TERRY LAMB

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On January 8, 2015, the United States of America appeared by Meredith George Thomas, Assistant United States Attorney, and the defendant, Terry Lamb, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Justin L. Gibson. The defendant commenced a five-year term of supervised release in this action on January 9, 2010, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on December 14, 2001.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed marijuana as evidenced by positive urine specimens submitted by him on March 19 and April 9, 2014, and his admissions to the probation officer on November 19, 2012, February 10, June 2 and December 12, 2014; (2) the defendant traveled to Virginia on April 6, 2014, without permission as evidenced by his admission to the probation officer; (3) the defendant failed to contact the probation officer every Monday for reporting instructions and failed to report to the probation officer on April 24 and 30, 2014; (4) the defendant failed to abide by the special condition that he reside at Dismas Charities until January 8, 2015, inasmuch as he entered the program on August 8, 2014, but left the facility abruptly that same date and did not return; (5) the defendant failed to submit monthly reports from August 2014, through November 2014; and (6) the defendant failed to notify the probation officer within 72 hours of being questioned by law enforcement on September 7, 2014; all as admitted by the defendant on the record of the

hearing and as set forth in the petition on supervised release and amendment thereto.

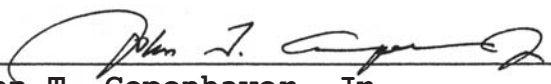
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 15, 2015

  
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John T. Copenhaver, Jr.  
United States District Judge